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September 17, 2019

VIA ELECTRONIC MAIL

Julia Rock
Muck Rock
76979-95575848@requests.muckrock.com

Re: Your Public Record Request received on 8/22/2019

Dear Ms. Rock,

This letter is in response to your request for records under the California Public Records Act received on 8/22/2019 via email, making the request below:

- All documents stipulating the conditions for participant termination from the DA office's "Back on Track" program. This includes, but is not limited to, all lists of violations that cause a participant to be removed from the "Back on Track" program.
- All records pertaining to any participants who have been terminated from the "Back on Track" program since the program's inception in 2005 (feel free to redact any personally identifying information, including names)
- All data documenting the numbers of "Back on Track" participants who graduated from the program as well as all data documenting the numbers of "Back on Track" participants who were terminated from the program

Please see the response to your request below:

Under the Public Records Act and the Sunshine Ordinance, a "public record" is broadly defined to include "any writing containing information relating to the conduct of the public's business prepared, owned, used or retained by any state or local agency, regardless of the physical form or characteristics." (Govt. Code §6252(e)). If the department has no records responsive to the specific request, the department has no duty to create or recreate one.

Disclosure of records concerning an individual's case are exempt from disclosure, barring any exceptions, when the court has ordered such records be sealed under Cal. Pen. Code § 851.90.

Enclosed, please find records responsive to your request. Please note that personally identifying information pertaining to participants' performance and involvement in the Back on Track program has been redacted per Cal Gov. Code section 6254(c). At the same time, records pertaining to graduates are privileged and exempt from disclosure as sealed records under Pen. Code section 851.90. These records are confidential and our office is prohibited from disclosing them. Accordingly, any such information has been redacted or withheld as necessary.

Sincerely,

A handwritten signature in blue ink, appearing to read "Alex Bastian", with a long horizontal flourish extending to the right.

ALEX BASTIAN
DEPUTY CHIEF OF STAFF